

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

XC ASSOCIATES, INC.,

Plaintiff,

STIPULATION OF DISMISSAL

-against-

Civil Case No.: 1:12-CV-00790
(DNH-RFT)

XZERES WIND CORP.,

Defendant.

IT IS HEREBY STIPULATED AND AGREED TO by and between the undersigned counsel for Plaintiff XC Associates, Inc. and Defendant Xzeres Wind Corp. that Plaintiff's claims against Defendant in this action and Defendant's counterclaims against Plaintiff in this action are dismissed, with prejudice, pursuant to Federal Rule of Civil Procedure 41, and that Plaintiff and Defendant shall pay their owns costs and attorneys' fees.

Dated: September 24 2013

GIRVIN & FERLAZZO, P.C.

By: 

Robert F. Manfredi, Esq.
20 Corporate Woods Boulevard
Albany, New York 12211
Counsel for Plaintiff

SO ORDERED:


DAVID N. HURD
United States District Judge

Dated:

9/25/13

Utica, NY

LAW OFFICES OF TODD WENGROVSKY, PLLC

By: 

Todd Wengrovsky, Esq.
285 Southfield Road, Box 585
Calverton, New York 11933
Counsel for Defendant